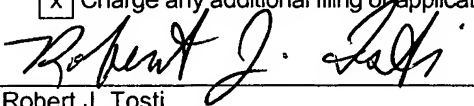


10-28-05

IFW

AMENDMENT TRANSMITTAL LETTER				Docket No. 62881C1(71589)	
Application No. 10/811,196-Conf. #2937		Filing Date March 26, 2004		Examiner T. Sweet	
				Art Unit 3738	
Applicant: Barry N. Gellman					
Invention: MALE URETHRAL STENT DEVICE					
<b>TO THE COMMISSIONER FOR PATENTS</b>					
Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below.					
<b>CLAIMS AS AMENDED</b>					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims		- 20 =		x	
Independent Claims		- 3 =		x	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify):					
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:</b>					0.00
<input checked="" type="checkbox"/> Large Entity <input type="checkbox"/> Small Entity					
<input checked="" type="checkbox"/> No additional fee is required for this amendment.					
<input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of \$ _____. A duplicate copy of this sheet is enclosed.					
<input type="checkbox"/> A check in the amount of \$ _____ to cover the filing fee is enclosed.					
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.					
<input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. <u>04-1105</u> as described below. <del>A duplicate copy of this sheet is enclosed.</del>					
<input checked="" type="checkbox"/> Credit any overpayment.					
<input checked="" type="checkbox"/> Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.					
 Robert J. Tosti Attorney Reg. No.: 35,393				Dated: <u>October 26, 2005</u>	
EDWARDS & ANGELL, LLP P.O. Box 55874 Boston, Massachusetts 02205 (617) 517-5584					



I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Label No. EV654397105US, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: October 26, 2005

Signature: Robert J. Tosti

Name: Robert J. Tosti

Atty. Docket No. 62881C1(71589)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In re Patent Application of:** Barry N. Gellman

**Application No.:** 10/811,196

**Confirmation No.:** 2937

**Filed:** March 26, 2004

**Art Unit:** 3738

**Title:** Male Urethral Stent Device

**Examiner:** T. Sweet

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO RESTRICTION REQUIREMENT**

In response to the action mailed from the Office on September 26, 2005, applicant elects claim group I (i.e., claims 35-47) with traverse.

Applicant submits that it will not be a serious burden on the Examiner to examine all pending claims (i.e., claims 35-54) at the same time, and applicant requests that all pending claims be examined together.

At a minimum, applicant submits that claims 52-54 should be moved from claim group II into claim group I and examined with elected claim group I because of the subject matter recited in claims 52-54 and its relationship to subject matter recited in at least some claims of claim group I. Regarding dependent claims 52-54, if they are moved from claim group II into claim group I and if they will then be examined along with the other claims of claim group I, applicant is willing to amend claim 52 to recite the subject matter of non-elected independent claim 48 or, alternatively, to amend claim 53 to recite the subject matter of claims 48 and 52. Claims 35-47 and 52-54 (or, alternatively, claims 35-47, 53, and 54) would then be elected, and claims 48-51 (or, alternatively, claims 48-52) would be non-elected.

Application No.: 10/811,196

Atty. Docket No. 62881C1(71589)

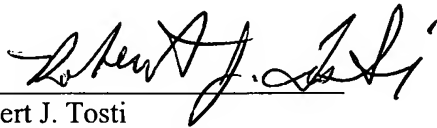
Please contact applicant's undersigned representative by telephone if a conversation will help establish the proper grouping of the claims for examination.

Respectfully submitted,

Dated: October 26, 2005

Customer No.: 21874

Direct Telephone: 617-517-5584

By   
Robert J. Tosti  
Registration No. 35,393  
EDWARDS & ANGELL, LLP  
P.O. Box 55874  
Boston, MA 02205



Application No. (if known): 10/811,196

Attorney Docket No.: 62881C1(71589)

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on October 26, 2005  
Date

Signature

~~Judy Daley~~

*Robert J. Tosti*

Typed or printed name of person signing Certificate

~~N/A~~ 35,393

Registration Number, if applicable

617-439-4444

Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Response to Restriction Requirement (2 pages)  
Amendment Transmittal (1 page, in duplicate)  
Return Receipt Postcard